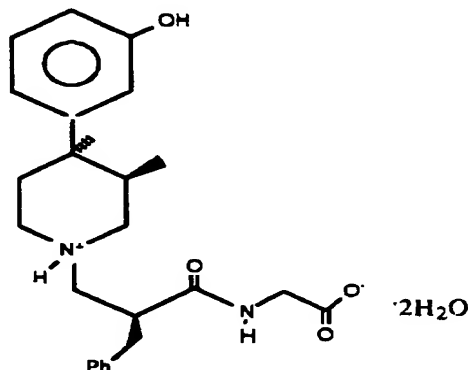


Serial No. 07/977,940

-4-

B³

and insert therefore --

(5)

Remarks

Applicants have narrowed Claim 3 to claim only the one lower alcohol, methanol. This amendment is supported by the specification on page 13, Table I, wherein all of Applicants' crystalline examples utilize the methanol cosolvent. Clearly, the specification supports that Applicants envisioned the methanol cosolvent as the most preferred lower alcohol for the process of Claim 3.

Applicants have canceled Claims 4, 6, and 8. The canceled Claims were replaced with Claims 20, 21, and 22. Claim 20 was amended to provide further clarification for the artisan. The structure for Formula 20 can be readily determined using the teachings of Examples 4, 7, and the teachings of page 14, lines 34-37. Further, the artisan can utilize the analogous structure of Claim 1 and the skill of the art to recognize that the claimed structure is that of Formula 20. Thus, Applicants submit that these amendments are fully supported by the specification.

Claims 6 and 8 were canceled and replaced with Claims 21 and 22. Claims 21 and 22 were added to provide the correct dependency for the claims. Claims 5, 7, 9, and 10 were amended to provide proper claim dependency. Applicants submit that there continues to be less than 20 total claims, with no more than 3 independent claims. Therefore, no additional fees are incurred by these proposed amendments.

48


Serial No. 07/977,940

-5-

Applicants have amended Claim 11 to further clarify the claimed structure. Applicants have merely illustrated the water molecules as described by the verbal description provided by the specification in Examples 5, 6, and the teachings on page 16, lines 5-10. Applicants maintain that the skilled artisan can readily determine the claimed structure from the specification; however, the summary of the invention, page 5, lines 6-9 and Claim 11 have been amended to fully illustrate the claimed compound for the artisan.

Applicants submit that the proposed amendments are fully supported by the original disclosure and that none of the amendments introduce new matter. The claimed invention is narrower than that originally claimed, therefore, the amendments should not necessitate an additional literature search. The total number of dependent and independent claims has not changed, therefore, no additional fee should be incurred by the amendments. Thus, Applicants respectfully request entry of the amendments, reconsideration, and passage of the case to issue.

Respectfully submitted,



MaCharri R. Vorndran-Jones
Attorney for Applicants
Registration No. 36,711

Phone: 317-276-1665

Eli Lilly and Company
Patent Division/MVJ
Lilly Corporate Center
Indianapolis, Indiana 46285

January 13, 1995